

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD.

SPECIAL CIVIL APPLICATION No 1881 of 1999

For Approval and Signature :

Hon'ble MR. JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the Order ?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the Order ?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

MIRAMBICA CONSTRUCTION CO. LTD.
VERSUS
UNION OF INDIA & ORS.

Appearance:
MR KS ZAVERI for the Petitioner

CORAM : MR JUSTICE S.K. KESHOTE
Date of Order: 01/04/99

C.A.V. ORDER

Heard the learned counsel for the petitioner.

2. It is the grievance of the petitioner that in the advertisement at annexure 'A' inviting thereunder

the tenders for the works, a condition imposed restricting the Contractor to have maximum three contracts for the grant of contract to it, is arbitrary.

3. It is the contention of the learned counsel for the petitioner that this condition is clearly in violation of Article 19 (1) (g) of the Constitution.

4. However, I do not find any merits in the contention of the learned counsel for the petitioner. The restriction put by the respondents in the tender notice is reasonable. Learned counsel for the petitioner admits that three contracts, reference of which has been made, is of the cost of Rs.50 lacs each. In the matter of grant of contracts by the State or Union of India for its work to the Contractors, all endeavour should be made for fair and equal distribution of the same and to achieve that object and purpose, this restriction has been put for the Contractor having more than three contracts may not be eligible to apply for this contract, cannot be said to be unreasonable or arbitrary or violating the provisions of Article 19 (1)(g) of the Constitution.

5. In the result, this special civil application fails and the same is dismissed.

(S.K.Keshote,J)

zgs/-